

B

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Index No. 05 CV 3939

SHAW FAMILY ARCHIVES, LTD

Plaintiff(s) Petitioner(s)

against

CMG WORLDWIDE, INC

Defendant(s) Respondent(s)

Calendar No.

AFFIDAVIT  
OF  
SERVICE

STATE OF DELAWARE, COUNTY OF: NEW CASTLE

Ss:

The undersigned, being sworn, says: Deponent is not a party herein, is over 18 years of age and resides at Wilmington, DE

On 4/20/05 at 1:46 P.M., at NATIONAL REGISTERED AGENTS 9 E. LOOCKERMAN ST. DOVER, DE  
 deponent served the within ☐ summons ☐ with notice ☐ summons, Spanish summons and complaint, the language  
☒ summons and complaint ☐ notice of petition and petition required by NYCRR 2900.2(c), (f) & (h) was set forth on  
☐ subpoena duces tecum ☐ subpoena on the face of the summons(es)  
☐ citation ☐

ON MARILYN MONROE, LLC ☒ defendant ☐ witness hereinafter called therein  
☐ -espondent the recipient named

INDIVIDUAL by delivering a true copy of each to said recipient personally; deponent knew the person so served to be the person described as  
 1. ☐ said recipient therein.  
 CORPORATION a DELAWARE corporation, by delivering thereat a true copy of each to JODY HARRINGTON  
 2. ☒ personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said  
 individual to be PROCESS AGENT thereof  
 by delivering thereat a true copy of each to a person of suitable age and  
 SUITABLE AGE PERSON discretion. Said premises is recipient's ☐ actual place of business ☐ dwelling place ☐ usual place of abode within the state.  
 3. ☐ by affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling place  
 AFFIXING TO ☐ usual place of abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age  
 DOOR, ETC. and discretion, thereat, having called there  
 4. ☐

MAILING TO Deponent talked to at said premises who stated that recipient ☐ lived ☐ worked there.  
 RESIDENCE Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient  
 USE WITH 3 OR 4 at recipient's last known residence, at and deposited  
 5A. ☐ said envelope in an official depository under exclusive care and custody of the U.S. Postal Service within New York State.  
 MAILING TO Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly  
 BUSINESS addressed to recipient at recipient's actual place of business, at  
 USE WITH 3 OR 4 in an official depository under the exclusive care and custody of the U.S. Postal Service  
 5B. ☐ within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof,  
 by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient.  
 DESCRIPTION ☐ Male ☒ White Skin ☒ Black Hair ☐ White Hair ☐ 14-20 Yrs. ☐ Under 5' ☐ Under 100 Lbs.  
☒ Female ☐ Black Skin ☐ Brown Hair ☐ Balding ☐ 21-35 Yrs. ☐ 5'0"-5'3" ☐ 100-130 Lbs.  
☐ Yellow Skin ☐ Blonde Hair ☐ Mustache ☒ 36-50 Yrs. ☒ 5'4"-5'8" ☒ 131-160 Lbs.  
☐ Brown Skin ☐ Gray Hair ☐ Beard ☐ 51-65 Yrs. ☐ 5'9"-6'0" ☐ 161-200 Lbs.  
☐ Red Skin ☐ Red Hair ☐ Glasses ☐ Over 65 Yrs. ☐ Over 6' ☐ Over 200 Lbs.

☐ Other identifying features:

WITNESS FEES \$ the authorizing traveling expenses ☐ was paid (tendered) to the recipient  
☐ and one days' witness fee: ☐ was mailed to the witness with subpoena copy.

MILITARY SERVICE I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity  
☐ whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information  
 and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not  
 in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on 4/20/05

KEVIN DUNN  
 NOTARY PUBLIC  
 STATE OF DELAWARE  
 My Commission Expires Nov. 23, 2009

License No.

GRANVILLE MORRIS  
 BRANDYWINE PROCESS SERVERS, LTD  
 PO BOX 1360 WILIMINGTON, DE  
 302-475-2600

**AFFIDAVIT OF SERVICE**

**UNITED STATES DISTRICT COURT  
Southern District of New York**

Index Number: 05 CV 3939

Date Filed: 4/19/2005

Plaintiff:

**Shaw Family Archives, Ltd., Edith Marcus and Meta Stevens**

vs.

Defendant:

**CMG Worldwide, Inc., an Indiana Corporation, and Marilyn Monroe,  
LLC, a Delaware Limited Liability Company**

Received by EXPRESS PROCESS SERVICE, INC. on the 20th day of April, 2005 at 11:04 am to be served on CMG WORLDWIDE, INC., c/o Mark A. Roesler, Registered Agent, 10500 Crosspoint Blvd, Indianapolis, Indiana 46256.

I, Pamela Conley, being duly sworn, depose and say that on the 20th day of April, 2005 at 3:10 pm, I:

Delivered a true copy of the **Summons and Complaint** to Larry Molnar, Legal Counsel at the aforementioned address, who stated that they were authorized to accept service.

**Additional Information pertaining to this Service:**

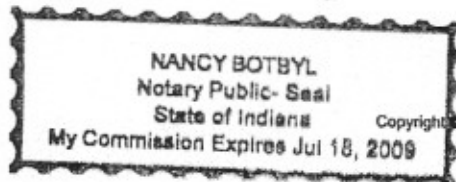
Mark A. Roesler, Registered Agent was out of the country.

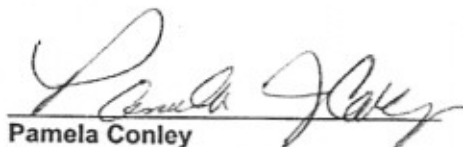
**Description of Person Served:** Age: 38, Sex: M, Race/Skin Color: Cauc, Height: 5'10", Weight: 160, Hair: Black, Glasses: N

I certify that I am over the age of 18, have no interest in the above action and have proper authority in the jurisdiction in which service was made. I declare that the facts set forth in the foregoing Affidavit of Service are true and correct.

Subscribed and Sworn to before me on the 21st day of April, 2005 by the affiant who is personally known to me.

  
NOTARY PUBLIC



  
Pamela Conley  
Process Server

**EXPRESS PROCESS SERVICE, INC.**  
1201 N. Post Road  
Suite 5  
Indianapolis, IN 46219-4225  
(317) 890-1055  
Our Job Serial Number: 2005002667  
Ref: Shaw et al v. CMG et al